

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
ZHE YANG,

Plaintiff(s),

-against-

GREYHOUND LINES INC.

Defendant.  
-----X

PETITION  
FOR REMOVAL

Jury Trial Demanded  
ECF CASE

Docket No.:  
07 CIV 6499

Defendant, Greyhound Lines, Inc., petitioner for the removal of this action from the Supreme Court of the State of New York, County of New York, to the United States District Court, Southern District of New York, respectfully shows this Honorable Court:

**FIRST:** Plaintiffs commenced an action against the above the named Defendant in a Civil Action brought against it in the Supreme Court of the State of New York, County of New York, entitled:

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

-----X  
ZHE YANG

Plaintiff(s),

-against-

GREYHOUND LINES INC.,

Defendants.  
-----X

**INDEX NO.:**  
**601916/07**

A copy of the Summons and Complaint in this action is annexed hereto as **Exhibit "A"** and made a part hereof and upon information and belief, constitute all process, pleadings and orders allegedly served upon any party in this action.

**SECOND:** Upon information and belief, Defendant Greyhound Lines Inc. was served with process on or around June 18<sup>TH</sup>, 2007 through C T Corporation System, New York, New York.

**THIRD:** This is an action of civil nature in which the District Courts of the United States have been given original jurisdiction in that there exists diversity of citizenship between the plaintiffs and the defendants and the amount in controversy exceeds the sum of \$75,000 exclusive of interest and costs. Accordingly, there exists original jurisdiction in the District Courts of the United States as provided in 28 U.S.C. Section 1332.

**FOURTH:** Under the provisions of 28 U.S.C. Section 1441, the right exists to remove this Civil Action from the Supreme Court of the State of New York, County of New York to the United States District Court for the Southern District of New York, which embraces the place where this action is pending.

**FIFTH:** This action involves a controversy between citizens of different states. The plaintiff is now and was at commencement of the action a citizen and resident of the State of New York; the Defendant, Greyhound Lines, Inc. is currently and on the accident date a Texas Corporation, at all times having its principal place of business in Dallas, Texas and was incorporated in the State of Delaware.

**SIXTH:** In accordance with the requirements of 28 U.S.C. Section 1446 this Petition for Removal is filed within thirty (30) days after the service of the Summons and Complaint on the Defendant.

**SEVENTH:** Pursuant to the provisions of 28 U.S.C. Section 1446, Defendant attaches herewith and incorporates herein by reference copies of the following items served in this action:

- a) Plaintiff's Summons and Complaint against defendants, for damages filed in the Supreme Court of the State of New York, County of Kings, bearing index number 14835/06 marked as **Exhibit "A"**.

**EIGHTH:** By reason of the foregoing, Defendant desires and is entitled to have this action removed from the Supreme Court of the State of New York, County of New York to the United States District Court for the Southern District of New York, such being the District where said suit is pending.

**NINTH:** Concurrent with the filing and service of this Petition for Removal, Defendant is serving this Petition for Removal upon the plaintiffs' attorney, and filing a copy of this Petition for Removal with the clerk of the Court for the Supreme Court of the State of New York, County of New York.

**WHEREFORE**, Defendant prays that the above entitled action now pending against it in the Supreme Court of the State of New York, County of New York, be removed therefrom that Court.

Dated: New York, New York  
July 16, 2006

By: /s/  
BRIAN DONNELLY, ESQ. (BJD- 4759)  
Ahmuty, Demers & McManus, Esqs.  
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Our File No.: GRH0754N7BJD